

**UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NORTH CAROLINA  
WILSON DIVISION**

**IN THE MATTER OF:**

**CASE NO.**

**ARLENE S. GARRIS,  
DEBTOR**

**08-03920-8-RDD  
CHAPTER 7**

**GENE GARRIS HOMES, INC.  
DEBTOR**

**08-03917-8-RDD  
CHAPTER 7**

**NOTICE OF PROPOSED PUBLIC SALE,  
NOTICE OF HEARING AND  
NOTICE OF COMPENSATION OF AUCTIONEER**

**NOTICE IS HEREBY GIVEN** that in accordance with Rule 6007 of the Bankruptcy Rules, the Trustee proposes to sell at public auction the property described below at the date, time and place and in the manner hereinafter set out:

**SALE DATE :      FRIDAY, APRIL 3, 2009**

10:00 a.m.      309 E. Elm Street (House and Lot), Goldsboro, NC  
PIN Number: 2599 93 6526  
Tax Value: \$35,000; Scheduled Value: \$35,000

12:00 noon      405 Hooks River Road (4.4 acre vacant lot), Goldsboro. NC  
PIN Number: 3600 05 2721  
Tax Value: \$30,300;    Unscheduled

406 Hooks River Road, Lots 1, 2, and 3 (Two (2) duplexes),  
Goldsboro, NC  
PIN Number: 3600 05 0240  
Tax Value: \$177,560; Scheduled Value: \$126,000

Lot 7 River Road (mini storage), Goldsboro. NC  
PIN Number: 2690 94 8833  
Tax Value: \$83,860; Scheduled Value:    unknown

1:30 p.m.      145 Titleist Drive (Vacant Lot), Lot 1 Lane Tree Golf Club,  
Goldsboro, NC  
PIN Number: 2691 61 5852  
Tax Value: \$65,000; Unscheduled

**SALE DATE:      SATURDAY, APRIL 4, 2009**

10:00 a.m.      17.76 acres, Tract 3, Piney Grove Church Road, Wayne and Lenoir Counties, NC  
PIN Number: 3546 86 8516  
Tax Value: \$42,480; Scheduled Value: unknown

16.67 acres, Tract 2, Piney Grove Church Road, Wayne and Lenoir Counties, NC  
PIN Number: 3546 86 5838  
Tax Value: \$40,860; Scheduled Value: unknown

1.03 acres, Tract 3-A, Piney Grove Church Road, Wayne County, NC  
PIN Number: 3546 76 4831  
Tax Value: \$12,360; Unscheduled

12:00 noon      306 Plantation Road House and Lot, Lot 146 Fallingbrook Subdivision, Goldsboro, NC  
PIN Number: 2691 36 0800  
Tax Value: \$471,050; Scheduled Value: \$471,050

19.083 acres - Pasture Land with Barn  
Plantation Road, Goldsboro, NC  
PIN Number: 2691 26 1074  
Tax Value: \$74,510; Scheduled Value: \$74,510

.38 acres (access path), Plantation Road, Goldsboro, NC  
PIN Number: 2691 26 1168  
Tax Value: \$1,060; Scheduled Value: \$1,060

**SALE LOCATION:      On the Premises of each location set out above.**

**FURTHER NOTICE IS GIVEN** that simultaneously with the filing of this notice, the Trustee has filed an application with the Court to approve the employment of Country Boys Auction & Realty Company, as Auctioneer, whose compensation shall be fixed at a rate not greater than the following:

**REAL PROPERTY**

10% on first \$25,000  
4% on the balance

**PERSONAL PROPERTY**

20% on first \$20,000  
10% on next \$50,000  
4% on the balance

There are additional terms and conditions in the employment agreement between the estate and the auctioneer, which are detailed in the application before the Court. These terms include, inter alia, limitations on advertising and the responsibility of other costs as between the estate and the auctioneer. All terms and conditions of the proposed agreement shall be subject to final review by the Court, without further notice.

**FURTHER NOTICE IS GIVEN** that an objection to the proposed sale and/or compensation of the auctioneer may be filed with the Clerk, United States Bankruptcy Court, 1760-A Parkwood Blvd., Wilson, North Carolina 27893-3564, with a copy served on the Trustee whose name appears at the bottom of this notice, **NOT LATER THAN March 9, 2009**. If any objections are received by the Clerk of the United States Bankruptcy Court, a hearing will be conducted on the objection on **March 10, 2009, at 11:00 a.m., at the United States Bankruptcy Court, Courtroom 101, 1760-A Parkwood Blvd., Wilson, NC 27893**. The party requesting the hearing shall appear at said hearing in support of such request or he may be assessed with the costs.

Dated: February 13, 2009

/s/ Walter L. Hinson  
Walter L. Hinson  
Attorney for Trustee  
State Bar No: 5664  
HINSON & RHYNE, P.A.  
P.O. Box 7479  
Wilson, NC 27895-7479  
Telephone: (252) 291-1746  
Telecopier: (252) 291-2521  
E-mail: [walterhinson@hinsonrhyne.com](mailto:walterhinson@hinsonrhyne.com)

CERTIFICATE OF SERVICE

I, Rebecca M. Weaver, of the law firm of Hinson & Rhyne, P.A.. of P. O. Box 7479, Wilson, North Carolina, 27895-7479, hereby certify:

That I am, and at all times hereinafter mentioned was, more than eighteen (18) years of age:

That on February 13, 2009, I mailed a copy of the foregoing NOTICE OF PROPOSED PUBLIC SALE, NOTICE OF HEARING AND NOTICE OF COMPENSATION OF AUCTIONEER, by depositing copies thereof in the United States mail, first class mail, postage prepaid, in an envelope addressed as shown below.

I certify under penalty of perjury that the foregoing is true and correct.

Dated: February 13, 2009

s/Rebecca M. Weaver

Rebecca M. Weaver  
HINSON & RHYNE, P.A.  
P. O. Box 7479  
Wilson, NC 27895-7479  
Telephone (252) 291-1746

RECIPIENTS:

Attached Matrix

Bankruptcy Administrator  
P. O. Box 3758  
Wilson, NC 27894-3758

Ms. Arlene S. Garris 306 Plantation Road Goldsboro, NC 27530	Bankruptcy Administrator P.O. Box 3758 Wilson, NC 27895	Richard D. Sparkman. Esq. P.O. Box 1687 Angier, NC 27501
Internal Revenue Service P.O. Box 21126 Philadelphia, PA 19114	NC Department of Revenue Attn: Bankruptcy Unit P.O. Box 1168 Raleigh, NC 27602-1168	Adams Products Company Attn: Managing Agent P.O. Box 189 Morrisville, NC 27560
American General Attn: Managing Agent 317 N. Spence Ave., Unit 108 Goldsboro, NC 27534-4346	American General Finance Attn: Ms. Charlotte Taylor 2835 Raleigh Road, Suite 105 Wilson, NC 27896	AT&T Advertising Attn: Managing Agent 2247 Northlake Parkway, 9 <sup>th</sup> Floor Tucker, GA 30084
Auto Owners Insurance Attn: Managing Agent P.O. Box 30315 Lansing, MI 48909-7815	Bank of America Attn: Managing Agent 9000 Southside Blvd., FL9-600-02-15 Jacksonville, FL 32256	Belk Attn: Managing Agent P.O. Box 981084 El Paso, TX 79998-1084
Branch Banking & Trust Co. Attn: Managing Agent P.O. Box 167 Goldsboro, NC 27533	Branch Banking & Trust Co. Attn: Managing Agent P.O. Box 1626 Wilson, NC 27894-1626	Branch Banking & Trust Co. Attn: Managing Agent P.O. Box 2027 Greenville, SC 29602-2027
Branch Banking & Trust Co. Attn: Mr. Jack R. Hayes P.O. Box 1847 Wilson, NC 27894-1847	Cequent Towing Attn: Managing Agent P.O. Box 672374 Detroit, MI 48267-2374	Charlotte Janice G. Hill Attn: Managing Agent 280 Woodlands Way, Lot 1 Calabash, NC 28467-2279
Citi Mastercard Attn: Managing Agent Processing Center Des Moines, IA 50364	Citicards Attn: Managing Agent P.O. Box 6004 Sioux Falls, SD 57117-6004	City of Goldsboro Attn: Managing Agent P.O. Drawer A Goldsboro, NC 27533-9701
Coast Distribution Attn: Managing Agent P.O. Box 1750 Morgan Hill, CA 95038	County of Durham Attn: Manag. Agent; Tax Admin. Off. P.O. Box 3397 Durham, NC 27702-3397	Craven County Tax Collection Attn: Managing Agent 226 Pollock Street New Bern, NC 28560-4943
Dillards Attn: Managing Agent P.O. Box 981084 El Paso, TX 79998-1084	Discover Attn: Managing Agent P.O. Box 30952 Salt Lake City, UT 84130-0952	E-Z Flow Portable Toilets Attn: Managing Agent/Reed Bennet 294 Bennett Road Goldsboro, NC 27530
Express Attn: Managing Agent P.O. Box 182118 Columbus, OH 43218-2118	Fedex Attn: Managing Agent P.O. Box 371461 Pittsburgh, PA 15250	First Bank Attn: Managing Agent P.O. Box 1000 Lillington, NC 27546
First Citizens Bank Attn: Managing Agent P.O. Box 1580 Roanoke, VA 24007-1580	Forest River Attn: Managing Agent 21815 Network Place Chicago, IL 60673-1218	Winston Garris 105 Grapevine Trail Durham, NC 27707

Tiffany Garris 635 Windermere Blvdl., Apt. C Charleston, SC 29407	GE Money Bank c/o Recovery Management Systems Corp. 25 SE 2 <sup>nd</sup> Avenue, Suite 1120 Miami, FL 33131-1605	Gene Garris Homes. Inc. Attn: Managing Agent 306 Plantation Road Goldsboro, NC 27530
HFC Attn: Managing Agent 908 North Spence Ave., Pinewood Square Goldsboro, NC 27534	Jean P. Hollowell, Esq. Hollowell & Benton. P.A. P.O. Box 947 Goldsboro. NC 27533-0947	Interstate Battery Attn: Managing Agent P.O. Box 1547 Angier, NC 27501
J. David Avrette, Cynthia W. Avrette c/o Howard's Barbeque 100 South Main Street Lillington, NC 27546	Jordan Law Offices, PA Attn: Managing Agent 8015 Creedmoor Road, Suite 201 Raleigh, NC 27613	Lenoir County Tax Dept. Attn: Managing Agent P.O. Drawer 3289 Kinston, NC 28502
James S. Livermon, III, Esq. Attorney for RBC Bank P.O. Box 353 Rocky Mount, NC 27802	New Century Bank Attn: Managing Agent P.O. Box 1988 Dunn, NC 28335-1988	New Century Bank Attn: Managing Agent 431 N. Spence Ave. Goldsboro, NC 27534
RBC Centura Attn: Managing Agent 201 E. Ash Street Goldsboro, NC 27530	RBC Centura Bank Attn: Managing Agent 11011 Richmond Ave., Suite 850 Houston. TX 77042	RBC Centura Bank Attn: Richard Ramsay/Jeanna Harrell P.O. Box 1220 Rocky Mount, NC 27802-1220
Republic Waste Attn: Managing Agent P.O. Box 9001708 Louisville, KY 40290-1708	Ricky Hill Paint Co. Attn: Mr. Ricky Hill 105 West Bradford Way Pikeville, NC 27863	River Watch Condominums Assoc. Inc. c/o Arey W. Grady, Esq. P.O. Drawer 889 New Bern, NC 28563
Mr. Robbie E. Godbey c/o Glenn A. Barfield, Esq. P.O. Drawer 7 Goldsboro. NC 27533-0007	Roy Michael Woodard Attn: Managing Agent P.O. Box 10544 Goldsboro, NC 27532	Sam's Card Attn: Managing Agent P.O. Box 901084 El Paso, TX 79998-1084
Security Collection Agency Attn: Managing Agent P.O. Box 910 Edenton. NC 27932-0910	Southern Equipment Company Attn: Mang. Agent/Ready Mix Concrete P.O. Box 2065 Goldsboro, NC 27530	Stag Parkway Attn: Managing Agent P.O. Box 405133 Atlanta, GA 30384-5133
Staples Attn: Managing Agent P.O. Box 689020 Des Moines, IA 50368-9020	The Contractor Yard, LLC Attn: Managing Agent 2512 Yonkers Road Raleigh, NC 27604	The Daily Record Attn: Managing Agent P.O. Box 1448 Dunn, NC 28335
The Talking Phonebook Attn: Managing Agent 1945 Sheridan Drive Buffalo, NY 14223	Unifirst Corporation Attn: Managing Agent 800 South John Street Goldsboro, NC 27530	UPS Attn: Managing Agent P.O. Box 650580 Dallas, TX 75265-0580
Vann & Sheridan, LLP Attn: James R. Vann, Esq. P.O. Box 2445 Raleigh, NC 27602	Victoria's Secret Attn: Managing Agent P.O. Box 182118 Columbus, OH 43218-2118	Benjamin E.F.B. Waller, Esq. Attorney for New Century Bank P.O. Box 8088 Greenville, NC 27835-8088

Waste Industries Attn: Managing Agent 4621 Marracco Drive Hope Mills, NC 28348-2583	Wayne County Tax Collector Attn: Managing Agent P.O. Box 1495 Goldsboro. NC 27533-1495	Wayne Investments, Inc. c/o Glenn A. Barfield. Esq. P.O. Drawer 7 Goldsboro, NC 27533-0007
Wayne Memorial Hospital, Inc. Attn: Managing Agent 601 Park Street Honesdale, PA 18431	Wells Fargo Business Attn: Managing Agent P.O. Box 348750 Sacramento, CA 95834	WFFNB/VS Attn: Managing Agent P.O. Box 182128 Columbus, OH 43218-2128
Woodalls Publications Attn: Managing Agent P.O. Box 692108 Cincinnati, OH 45269-2108	Woodard & Co. Real Estate Rentals Attn: Mang. Agent/Mike Woodard 3409 East Ash Street Goldsboro, NC 27534	Roy Michael Woodard P.O. Box 10544 Goldsboro, NC 27532
XO Website Communication Attn: Managing Agent 13865 Sunrise Valley Drive Herndon, VA 20171	Branch Banking and Trust Company c/o B. Joan Davis, Esq. P.O. Box 12347 Raleigh, NC 27602	Michael P. Flanagan Ward & Smith, P.A. P.O. Box 8088 Greenville, NC 27835-8088
John C. Bircher, III, Esq. Atty for Riverwatch Condominium Assoc. P.O. Box 1555 New Bern, NC 28563	Stephen G. Inman, Esq. Atty for Charlotte Janice Hill P.O. Drawer 53007 Fayetteville, NC 28305-3007	revised 2/13/09